

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

DEMON SLATER, #177 985

*

Plaintiff,

*

v.

* CIVIL ACTION NO. 2:05-CV-505-D

SGT. DAVIDSON, *et al.*,

*

Defendants.

*

ORDER

Plaintiff is incarcerated at the Bullock County Correctional Facility located in Union Springs, Alabama. He filed the instant 42 U.S.C. § 1983 action complaining that defendants acted with deliberate indifference when they refused to honor his medical profile for a sack lunch.

Plaintiff's complaint has been accepted for filing. However, before further proceedings in this matter are conducted, the court deems it appropriate to direct Plaintiff to amend his complaint concerning the factual allegations contained therein. Specifically, Plaintiff's amended complaint should specifically state: 1) whether he received a meal substitution on May 20, 2005 - the day he contends Defendants refused to honor his medical profile for a sack lunch; 2) if so, what did the substitute meal consist of and how did that differ from the contents of his medically prescribed a sack lunch; 3) what medical condition Plaintiff has which requires a medical profile for a sack lunch; 4) whether the medically

prescribed sack lunch resumed after May 20, 2005; and 5) what, if any, adverse effects Plaintiff experienced as a result of Defendants' conduct.

Pro se complaints are held to a less stringent standard than those drafted by attorneys, and a complainant who submits an unartfully plead action which contains a potentially cognizable claim should be given the opportunity to particularize his complaint in order to define his issues and to name proper defendants. *See Johnson v. Silver*, 742 F.2d 823, 825 (4th Cir. 1984). Where, as here, Plaintiff may have stated a colorable federal claim, but has failed to provide the information addressed above, he shall be an opportunity to particularize his complaint in order to furnish those details. The complainant is cautioned that his failure to file an amended complaint in compliance with the directives contained in this Order will result in the dismissal of his complaint without further notice from this court.

Accordingly, it is

ORDERED that on or before July 26, 2005 Plaintiff shall file an amendment to his complaint as directed herein. Plaintiff is forewarned that his failure to file an amended complaint in compliance with the directives contained in this order will result in a Recommendation that his complaint be dismissed without further notice from the court.

Done this 12th day of July, 2005.

/s/Charles S. Coody
CHARLES S. COODY
CHIEF UNITED STATES MAGISTRATE JUDGE